


EDUCATION IN THE SCOTTISH PARLIAMENT

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PREAMBLE

This paper follows on from the previous bulletin (Redford 2007), which covered the business of the Parliament's Education Committee between February 2007 and August 2008. The bulletin covers the education and lifelong learning remit of the Education Lifelong Learning and Culture Committee, during the first part of the 2007 – 2011 Parliament (Session 3).

SEPTEMBER 2007 TO JANUARY 2008

The Education Lifelong Learning and Culture Committee had the following members during this period: Karen Whitefield (Convenor), Rob Gibson (Deputy Convenor), Aileen Campbell, Ken Macintosh, Christina McKelvie, Pauline McNeill (to 26th September 2007), Mary Mulligan (from 26th September 2007), Jeremy Purvis and Elizabeth Smith. Full records of the committee meetings, including transcripts of proceedings and all committee papers can be found on the Scottish Parliament website at:

www.scottish.parliament.uk/business/committees/education/index.htm

The committee spent some time agreeing their work programme at the beginning of the period. The major items of legislation dealt with were the Free School Meals pilot, the formation of Skills for Scotland, Higher and Further Education Funding and Governance, the Abolition of the Graduate Endowment Scheme and related subordinate legislation. The petitions PE853 and PE872 were revisited to (Redford 2007) and the first budget of the third Parliament addressed.

WORK PROGRAMME

The committee spent time agreeing their work programme during their meeting on the 5th September 2007. They had decided prior to the summer recess that the committee work would initially take a different focus from previous committees, as they wanted to hold a series of meetings with stakeholders from across the remit of the committee. The aim of these meetings was to set the context for subjects to investigate and "to hold the Executive to account" (Whitefield, 05.09.07, Col 68). During the discussions at the start of this meeting, each member highlighted their own priorities for the parliamentary session: Elizabeth Smith in the governing and finance of Higher Education; Ken Macintosh in child protection and Steiner schools; Jeremy Purvis in the pilot for reducing class sizes in primaries 1, 2 and 3 and the free school meals scheme; Aileen Campbell tied her interest in the development of the Curriculum for Excellence to global citizenship; and Christina McKelvie felt that social work issues were often, "squeezed out" (McKelvie, 05.09.07, Col 71) and that the work programme should retain a social work focus. The convenor summed up the discussion by pointing out that they were keen, "to contextualise matters for future deliberations and to hold shorter sessions to investigate issues with stakeholders from across the committee's remit" (Whitefield, 05.09.07, Col 73). The areas the committee agreed as priorities were the governing and finance of higher education, the curriculum for excellence and school estate. The issues of class sizes and school meals would be considered in relation to secondary legislation.

FREE SCHOOL MEALS

At their meetings on 19th and 26th September 2007 the Committee took evidence on the Scottish Government's proposed free school meals pilot from the following witnesses:

Date of Committee	Witnesses
19 September 2007	<ul style="list-style-type: none"> David Cowan and Mike Gibson, <i>Support for Learning Division, Schools Directorate</i> Laurence Sullivan, <i>Scottish Government Legal Directorate</i>
	<ul style="list-style-type: none"> Tam Baillie, <i>Barnardo's Scotland</i> Kelly Bayes, <i>Aberlour Child Care Trust</i> Paula Evans, <i>Children in Scotland</i>
	<ul style="list-style-type: none"> Adam Ingram, <i>Minister for Children & Early Years</i> David Cowan, <i>Support for Learning Division, Schools Directorate</i>
26 September 2007	

The first meeting on the 19th September opened with a description from Mike Gibson of the proposed free school meals trial. This was to cover five education authority areas: East Ayrshire, Fife, Scottish Borders, Glasgow and West Dunbartonshire, with an estimated cost of £4.6 million (ELLC/S3/07/4/1). The trial was planned to run from the end of October 2007 until the middle of March 2008, with an evaluation report due in the summer of 2008. The number of primary 1 to primary 3 pupils involved would be just over 37,000, including some 23,000 pupils who were not currently receiving free school lunches. The convener asked about the difficulties of evaluating health benefits in a short 6 month timescale. David Cowan replied for the Schools Directorate that the pilot would only give initial indications of health benefits and that they would look for changes in behaviour and in attitudes to healthy food. The pilot would also provide information about the ways in which school kitchens coped with additional demand. The convener argued that the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 would ensure that children in schools would have to make healthier choices. David Cowan agreed that the pilot would operate in the context of the 2007 Act, and that schools were already working towards being health-promoting schools. Aileen Campbell asked how the children taking part would be involved in the evaluation of the pilot, to which David Cowan replied that IPSOS Mori had been appointed to evaluate the trial. Their evaluation would include talking to children and focus groups with parents. Several questions were asked about the 3 year pilot scheme in Kingston upon Hull, the results of which would not be available until November 2007. Jeremy Purvis asked about the key outcomes of the pilot. David Cowan replied that the results would be analysed in relation to existing data on healthy eating:

The main focus of the trial is on whether providing free school meals to kids in primary 1 to primary 3 has a bigger impact than just offering healthy meals to everyone. All meals in schools will be healthy, but does it make a

difference if we get kids to use the school meal service at an early stage?
Will they continue to take school meals? We want to see what effect the pilot has on uptake and to assess the impact of early intervention (Cowan, 19.09.07, Col 79).

The committee was concerned about the ways in which the results of the pilot could be differentiated from the results of the implementation of the 2007 Act. David Cowan reminded the committee that the new nutrition regulations would not come into effect until August 2008. The Executive recognised that all schools were now implementing Hungry for Success and that would be the baseline for the trial. Ken Macintosh asked if there would be a control study with other local authorities, returning again to the difference between the proposed pilot and the work that was already underway with Hungry for Success. In reply Mike Gibson described the ways in which data would be collected from the participating schools. This would begin with information about the current uptake of free school meals in P1 to P3, which would be revisited at the end of the trial. He argued that it would be “straightforward” (Gibson, 19.09.07, Col 80) to compare data from the authorities in the pilot with data from other authorities. Ken Macintosh asked if alternatives had been considered and referred to the East Renfrewshire programme which provided free school meals during the school holidays. He talked about the effects of the programme, which “has produced fantastic outcomes in relation to uptake and behaviour, including behaviour at home” (Macintosh, 19.09.07, Col 86). Mike Gibson replied that the Executive did not collect detailed information about local authority initiatives. David Cowan added that although the pilot was to provide free school meals for primary 1 to 3 pupils in schools they would consider other measures. Jeremy Purvis then asked about the cost of rolling out the trial nationally, which Mike Gibson estimated to be £30 million with a 70 per cent uptake and £46 million with 100 per cent uptake.

The committee opened the meeting with the second panel of witnesses with questions rather than by opening statements. The briefing papers presented by each organisation in the group evidence outlined their responses to the proposed pilot, which in previous committees had been summarised at the start of each panel. In the briefing papers for this panel the Aberlour Trust raised a number of concerns about eating habits in school and at home, the pupil’s views on school meals, practical issues for schools implementing the pilot and the development of social skills (ELLC/S3/007/4/2). Barnardo’s were in favour of greater investment in general. The organisation believed that junk food and fizzy drinks should be removed from menus and that breakfast clubs and wraparound care would make optimum use of facilities. They felt that there was a need for dining areas that would appeal to pupils, and that teachers should take meals with pupils (ELLC/S3/07/4/3).

The Convener opened questions with one about the length of the pilot. Kelly Bayes replied that the Aberlour Trust was concerned that the pilot had not waited until the results of the 3 year Hull study were published, particularly since the Hull scheme had to close because of the cost. Tam Baillie, for Barnardo’s felt that a longer pilot than six months would be needed to measure the health benefits of the scheme, although he recognised that considerable ground work had been done by the Hungry for Success Initiative. Jeremy Purvis raised the possible costs of implementing the initiative across Scotland, which the Child Poverty Action group estimated at £73 million and the Scottish Government at between £30 to £45 million. He asked the panel if that money was the best way to tackle healthy eating. Tam Baillie replied that the main issue to address was that of poverty, particularly the 25% of children in Scotland who live in poverty but only 19% of whom qualify for free school meals. Paula Evans pointed out that each organisation took a slightly different approach to the issue, for example Children in Scotland felt that:

if health promotion is the objective, a universal approach for P1 to P3 is appropriate. If it is to be a poverty-alleviating measure, a targeted approach might be more appropriate (Evans, 19.09.07, Col 93)

Elizabeth Smith raised the issue of diet in pre-school children to which Tam Baillie replied that it would be useful to have a Hungry for Success type of initiative for early years as part of the Government's early years strategy.

The committee meeting on 26th September heard evidence from Adam Ingram, Minister for Schools and Children. The Convener opened the questions with procedural issues concerning the fact that parents of the children who could be involved in the trial had received letters about it, but that Parliament had yet to approve it. The Minister argued that the timescale meant that arrangements had to be made for the trial to commence in October, although it had yet to be approved by Parliament. Further questions addressed the evaluation of the trial to which Adam Ingram responded that they knew that the pilot would lead to positive health outcomes, "We are trying to establish the practicalities of rolling out a national programme" (Ingram, 26.09.07, Col 114). Mary Mulligan asked about the research brief for the evaluation and the detail of the 10 case studies. The Minister replied that the results of ten of pilot schools would be examined in detail. The focus would be on deprivation and free school meal eligibility, rural schools, the size of the school and previous levels of uptake of school meals. Mary Mulligan followed this with a question about provision for pre-school children and the importance for intervening early to establish good eating habits. Adam Ingram replied that guidance had been issued to pre-schools and nurseries, building on Hungry for Success, and that the Care Commission would shortly be reporting on that. Ken Macintosh questioned that the pilot would not give more information about diet and school meals than was already available. Adam Ingram replied that it was a cultural change that was needed across Scottish society and that this pilot would be a step towards that. He recognised that there was a gap between the 25% of children living in poverty in Scotland and the 19% who were eligible for school meals. Ken Macintosh asked how that gap would be removed, to which Adam Ingram replied through passport benefits and maximum working tax credit. The committee then considered the subordinate legislation necessary to implement the pilot. Each committee member took the opportunity to express their own issues with regard to the pilot school meals proposal before voting. The motion was agreed to (by division: For 7, Against 0, Abstentions 1).

SKILLS FOR SCOTLAND: A LIFELONG SKILLS STRATEGY

At their meeting on 26th September the Committee took evidence on the Scottish Government's Skills Strategy from:

Date of Committee	Witnesses
26 September 2007	• Howard McKenzie, <i>Association of Scotland's Colleges</i>
	• David Caldwell, <i>Universities Scotland</i>
	• Grahame Smith, <i>Scottish Trades Union Congress</i>
	• Fiona Hyslop, <i>Cabinet Secretary for Education and Lifelong Learning</i> • Rosemary Winter-Scott and Peter Beaumont, <i>Lifelong Learning Directorate, Scottish Government</i>

The papers available for the committee prior to this meeting included a SPICe briefing paper (ELLC/S3/07/5/4), submissions from the Association of Scotland's Colleges (ELLC/S3/07/5/5), from Universities Scotland (ELLC/S3/07/5/6) and the Scottish Trades Union Congress (ELLC/S3/07/5/7). The meeting began with a question from Elizabeth Smith about vocational training and the links between colleges and schools. Howard McKenzie replied that the links were, "remarkably effective" (McKenzie, 26.09.07, Col 134) going on immediately to raise the issue of college funding which had been capped for the past six years. David Caldwell pointed out to the committee that although the discussion was focusing on the relationship between schools and colleges, 85% of the students following university degree programmes were undertaking vocational courses. He emphasised the need to be aspirational "and encourage people to reach the pinnacle of their ability" (Caldwell, 26.09.07, Col 135). He went on to support the Skills Strategy but emphasised that there was a need to recognise the importance of increasing the number of skilled people at postgraduate level. Aileen Campbell asked about the impact on entry to degree courses from the Strategy's focus on vocational subjects. David Caldwell replied that there needed to be greater understanding that there was not a vocational – academic split between colleges and universities. Rob Gibson moved the discussion onto the role of the Scottish Credit and Qualifications Framework (SCQF) and the ways in which it could be developed. This led to a question from Jeremy Purvis about the need for a single skills agency in Scotland. Howard McKenzie broadly welcomed the proposed agency, but David Caldwell pointed out that Universities Scotland when consulted had favoured Careers Scotland becoming a freestanding non-governmental body. The committee moved on to discuss the careers support available to students and the type of social and personal skills training available in both sectors. This led to a discussion about the needs of mature students and the flexibility offered through SCQF to move through the education system. The panel ended with both witnesses making points about the drop in the participation rate and the need to address those issues when the general population numbers are declining.

In the second panel meeting Grahame Smith talked about the development of a Scottish Union Academy. This had been proposed to facilitate learning between Unions and employers. He went on to outline the view of the Scottish Trade Unions Congress (STUC) on the proposal to bring together Careers Scotland and Learndirect Scotland, which they saw, "as a retrograde step to separate economic development and training" (Smith, 26.09.08, Col 155). Ken Macintosh asked about the proposal to raise modern apprenticeships to Scottish Vocational Qualifications (SVQ) level 2, which Grahame Smith felt would limit progression for the apprentices. In response to a question from Christina McKelvie he welcomed the skills strategy but regretted that it was focused on voluntarism. The STUC felt that the Government needed to address skills discrimination in the workplace, particularly where employers do not provide or support training.

The third panel began with a statement from Fiona Hyslop about the skills strategy, where she announced:

That the skills and training responsibilities in the enterprise networks that focus on individuals' employability, skills and training will also be merged into the national skills body (Hyslop, 26.09.07, Col 162).

Elizabeth Smith began by asking about the connections between the core skills in Curriculum for Excellence and the ways these might be developed beyond school age. The Cabinet Secretary replied that these were embedded in the lifelong learning framework. Ken Macintosh asked how the strategy would be moved forward following the defeat of the Government's proposal. Fiona Hyslop replied that the strategy had received a positive reception from business and education, and

the government was keen to drive the strategy forward. Further questions from Ken Macintosh asked about the lack of targets, in reply to which the Cabinet Secretary argued that detailed targets would, “distort policy in the strategy” (Hyslop, 26.09.08 Col 166). Mary Mulligan asked questions about the reasons behind the merger of Careers Scotland and Learndirect Scotland, and why Careers Scotland was not moved to Local Authorities. Fiona Hyslop replied that the Government wanted “to streamline the provision of learning, training and skills to create, a one-stop shop,” (Hyslop, 26.09.07, Col 173), which could include working with local authorities.

HIGHER AND FURTHER EDUCATION FUNDING AND GOVERNANCE

The Committee began their deliberations on Higher and Further Education Funding and Governance at their meeting on 3 October 2007 when they took evidence from:

Date of Committee	Witnesses
3 October 2007	• Howard McKenzie, <i>Association of Scotland's Colleges</i>
	• David Caldwell, <i>Universities Scotland</i>
	• Roger McClure, <i>Scottish Funding Council</i>
	• James Alexander, <i>National Union of Students Scotland</i>

All witnesses provided written evidence for the committee (ELLC/S3/07/6/A) and appeared individually as witnesses. The Convener opened proceedings by welcoming Howard McKenzie back to the committee. Initial questions from Jeremy Purvis and Rob Gibson concerned governance, and the issue of debt burden following incorporation in 1992. Howard McKenzie replied that there was only one college now left with a loan burden because of losses, adding that the mortgages used to fund capital projects were an increasing cost for colleges. In response to a question from Aileen Campbell about auditing, he noted that colleges were scrutinized by 73 organisations, 30 of them connected with finance. The discussion moved on to charitable status, which colleges were due to lose. Howard McKenzie was forthright in his description of the issues colleges face in losing charitable status:

Losing charitable status would have a radical effect on colleges not only financially—it would cost about £50 million to stay as we are, and we might have to cut that amount from front-line services—but in how we are seen within our communities. We are not businesses that make money and give it back to our shareholders; we do our activity and give that back to the people and stakeholders (McKenzie, 03.10.07, Col 187).

He went on to outline the unanimous feeling in colleges that they need to retain charitable status. He described the ways in which this could be done, through changes to the Charities and Trustee Investment (Scotland) Act (20005) or the removal of existing ministerial powers. The discussion moved from charitable status to the maintenance of college buildings, the graduate endowment fee and unmet demand for college places. Howard McKenzie referred again to the fact that colleges had been unable to grow for the last seven years, and that “about 5,000 people a year in Scotland apply for two or three courses, do not receive a place and disappear from the system” (McKenzie, 03.10.07, Col 194). The Convener

ended this section of the meeting by asking what the government could do to help the colleges, Howard McKenzie was very clear that removing the cap on numbers would be the greatest help.

The committee questions for David Caldwell of Universities Scotland covered: the participation rate of students under 21 years of age, the relationship between the quality framework and finance, the vocational elements of degree programmes, the Quality Enhancement framework and estate management. David Caldwell drew the committees' attention to the issue of part-time students, who constitute a third of all students, paying fees for qualifications which full-time students do not have to pay. The Convener asked the Universities' view on the proposal to abolish the graduate endowment fee, to which David Caldwell replied that they supported it in principle because it would benefit the majority of their full-time undergraduate students. Ken Macintosh then asked about the relationship with Professional regulatory bodies, such as the Law Society for Scotland which led to a debate about the difficulties of regulating entry to professions through the numbers admitted to degree programmes. Rob Gibson ended the discussion with a question about cost of mergers between institutions. David Caldwell made the point that Universities were not resistant to mergers:

There is a genuine desire in universities to do whatever we can to ensure that we remain internationally competitive, including restructuring if it achieves that aim (Caldwell, 02.10.07, Col 210).

He ended by reiterating the point made to the committee on his previous visit that there was a need to raise aspirations among everyone in Scotland to achieve their full attainment.

The third witness before the committee was Roger McClure of the Scottish Further and Higher Education Funding Council (SFHEFC). Questions for this witness focused on governance and the allocation of funds to colleges and universities. Elizabeth Smith raised the issue of competitiveness and the need for Universities to attract major resources into research. Roger McClure responded that Scotland, "had more than kept pace" (McClure, 03.10.07, Col 218) with the funding of research but there was a need to ensure that appropriate funding continued. In response to the Convener's final question he replied that if there was belief in the need for higher knowledge and skills levels in the future then there was a need for a major improvement in investment, adding that other small countries in the world have done just that. The final witness at this meeting was James Alexander, president of the National Union of Students Scotland. The questions to him focused on barriers to learning for students, the greater difficulties faced by part-time students and the need to recognize the diversity of the student body.

GRADUATE ENDOWMENT ABOLITION (SCOTLAND) BILL

The committee agreed their approach to Stage 1 of the Graduate Endowment

Abolition (Scotland) Bill in private at their meeting on the 24th October 2007. They took evidence from witnesses at their meetings on the 7th, 14th and 28th November 2007.

Date of Committee	Witnesses
7th November 2007	<ul style="list-style-type: none"> Alex Young, <i>Lifelong Learning Directorate, Scottish Government</i> Chris McCrone, <i>Finance Directorate, Scottish Government</i> Andrew Campbell, <i>Scottish Government Legal Directorate</i> Graham Philp and Audrey Clark, <i>Student Awards Agency for Scotland</i> Ralph Seymour-Jackson, <i>Student Loans Company</i>
14th November 2007	<ul style="list-style-type: none"> Peter Syme, <i>The Open University in Scotland</i> James Alexander, <i>National Union of Students Scotland</i> Tom D'Ardenne, <i>Coalition of Higher Education Students in Scotland</i>
28th November 2007	<ul style="list-style-type: none"> Fiona Hyslop, <i>Cabinet Secretary for Education and Lifelong Learning</i> Stephen Kerr, <i>Lifelong Learning Directorate</i> Chris McCrone, <i>Finance Directorate</i> Douglas Tullis, <i>Legal Directorate</i>

The papers submitted for the meeting on the 7th November included a SPICE briefing on the Bill (ELC/S3/07/8/1) and submissions from the Student Awards Agency for Scotland (ELLC/S307/8/2) and the Student Loans Company (ELLC/S3/07/8/3). The meeting opened with Alex Young introducing the Bill to the committee saying that it aimed to fulfill a manifesto commitment, and that it was part of a wider government policy to reduce student debt. In response to questions from the Convener he added that research from the Joseph Rowntree Foundation had shown that student debt, "is one of the biggest contributors to people not wanting to undertake higher education courses" (Young, 07.11.07, Col 236). Rob Gibson asked about any possible effect on the provision of bursaries for students and was assured that there would be no impact on bursary provision, which was linked to the existing statute. The discussion then moved onto the issues of widening participation and questions were put to officials about the possible impact of the Bill. The committee went on to discuss the detail of student loan repayments with Ralph Seymour-Jackson in the second panel.

The committee returned to the Bill at their meeting on the 14th November 2007 where each organisation presenting evidence also submitted papers for the meeting; the Open University (ELLC/S3/07/9/1), the National Union of Students Scotland (ELLC/S3/07/9/2) and the Coalition of Higher Education Students in Scotland

(CHESS) (ELLC/S3/07/9/3). This meeting first returned to the earlier debate about the issues facing part-time students which was a matter of great concern to the Open University in Scotland.

Regardless of the merits of the Bill, when it is passed, students who are classed

as full time, whether they are rich or poor, will not pay tuition fees and students who are classed as part time, whether they are rich or poor, will pay tuition fees, unless they are in the very poorest category (Syme, 14.11.07 Col 292).

The committee followed these remarks with questions about support systems for students and ways in which part-time students dealt with debt. The Convener opened discussions with the second panel with a question about full-time and part-time students. Both witnesses felt that the traditional distinctions between these groups were becoming blurred as full-time students were increasingly taking on work to fund their studies. James Alexander then listed a number of issues with the current funding system concluding, “we need a wider range of packages to address issues around student hardship, debt and support as well as wider student access” (Alexander, 14.11.07, Col 305). He welcomed the Bill as a small step in addressing funding problems. Tom Ardenne agreed that there needed to be further measures to ensure that people from all backgrounds were able to access higher and further education.

The committee concluded taking oral evidence at their meeting on 28th November when they spent some time debating the links between widening participation and the abolition of the graduate endowment. In response to a question from the Convener Fiona Hyslop emphasised to the committee:

The Bill is the first step in our strategy for tackling the debt burden in Scotland. It will reduce by more than £2,000 the debt burden of many students in Scotland (Hyslop, 28.11.07, Col 353).

Elizabeth Smith and Jeremy Purvis asked specific questions regarding published statistics of entrants to University, arguing that the proposed Bill would make no difference to the numbers of University entrants from deprived areas. Mary Mulligan asked if the Cabinet Secretary expected the Bill to lead to an increase in such students, to which Fiona Hyslop replied:

We expect that removing or tackling the debt burden will have a substantial influence on the number of people, especially from deprived areas, applying to university (Hyslop, 28.11.07 Col 365).

Committee members then asked questions of Chris McCrone and Douglas Tullis regarding the implementation of the Bill and the collection of existing debt.

The committee concluded their work on the Bill in private on the 5th of December 2007, when they considered a draft Stage 1 Report; they debated this further at their meeting on the 13th December 2007, at which the report was agreed. The committee considered Stage 2 of the Bill at their meeting on the 23 January 2008 when the following amendments were agreed:

Amendments	Action taken by the Committee
Sections 1, 2, 3, 4 and 5 The long title	Agreed to (without division)
1, 2	Agreed to (by division)

BUDGET

The committee spent considerable time during this period agreeing their approach to the budget, 5th September and 3rd October 2007 and appointing an advisor 3rd October and 5th November 2007. They took evidence on the draft budget at their meetings on 21 and 28th November 2007, focusing on the budget linked to the creation of Skills Development Scotland and the funding of Further and Higher Education.

Date of Committee	Witnesses
21st November 2007	<ul style="list-style-type: none"> • Mark Batho, <i>Lifelong Learning Directorate, Scottish Government</i> • Donald Henderson, <i>Skills Development Scotland</i> • Linda McDowall, <i>Scottish Enterprise</i> • Alex Paterson, <i>Highlands and Islands Enterprise</i> • Damien Yates, <i>Learndirect Scotland</i>
28th November 2007	<ul style="list-style-type: none"> • Howard McKenzie, <i>Association of Scotland's Colleges</i> • David Caldwell, <i>Universities Scotland</i> • Roger McClure, <i>Scottish Funding Council</i>
5th December 2007	<ul style="list-style-type: none"> • Cllr Isabel Hutton, Jon Harris, and Robert Nicol, <i>COSLA</i> • Fiona Hyslop, <i>Cabinet Secretary for Education & Lifelong Learning</i> • Colin MacLean, <i>Social Care Directorate</i> • Liz Hunter, <i>Schools Directorate</i> • Mark Batho, <i>Lifelong Learning Directorate</i>

The meeting on the 21st November 2007 opened with a statement from Mark Batho explaining that a large number of officials were in attendance because the committee was addressing the establishment of the new skills body, which would involve a partnership between Highlands and Islands Enterprise (HIE), Learndirect Scotland, Scottish Enterprise and the Scottish Government. Elizabeth Smith questioned the need for a new body, to which Mark Batho replied that the new body offered the possibility “of shifting significantly the overall nature of the provision that is out there” (Batho, 21.11.07, Col 319). Damien Yates supported this and added that the merger provided the opportunity, “to direct the high-cost, face-to-face services to

areas of greatest need and risk” (Yates, 21.11.07, Col 320). Further questions from Mary Mulligan and Rob Gibson concerned the cost of the new organisation and any changes in services. In answer to a detailed question from Jeremy Purvis about support to schools Mark Batho outlined the amounts transferred into grant-aided expenditure to fund the Determined to Succeed programme in schools. Further detailed questions were asked about support to colleges and universities within the budget. The meeting on the 28th of November addressed issues of funding and financial security for colleges. Supporting papers (ELLC/S3/07/11/1 – 3) were submitted by each organisation prior to the meeting. Much of the debate during the meeting centered around committee concern that colleges could again find themselves with financial difficulties. Roger McClure responded that he was “fairly confident” (McClure, 28.11.09, Col 387) about the future, and described how the colleges operated as a brand to help each other. The committee went on to discuss the ways in which monies were allocated to universities and money that might be available through the block grant from the Westminster Parliament. Final evidence on the draft budget was taken at the meeting on the 5th December 2007. The questions from the committee to both panels of witnesses concerned the detail of the concordat agreed between the Scottish Government and COSLA (ELLC/S3/07/12/1). Members were particularly concerned that an overall agreement had been reached with no specific monetary allocations decided. They debated in detail a number of difficulties that they felt local authorities would have in implementing the policy to reduce class sizes. Mary Mulligan was particularly concerned that an agreement had been made to reduce class sizes without knowing the overall cost. Robert Nicol was keen to point out that, “the package that has been agreed is for the whole of local government. No specific amount has been allocated for class size reduction” (Nicol 05.12.07 Col 413). Councillor Hutton added that, “the concordat did not say that there would be a reduction in class sizes within the current session of Parliament. COSLA did not sign up to that” (Hutton, 05.12.07, Col 416). In reply to a question from the convener Robert Nicol repeated that the concordat was an overall package of funds and that the local authorities would prioritise how they spent it. Mary Mulligan asked how much of the budget had previously been ring-fenced, to which Jon Harris replied that £2.7 billion was ring fenced out of a total budget of £11.2 billion. The questions for the second panel addressed issues of sustainable economic growth and the effects that would have on education and life-long learning, developing a long-term strategy for Higher Education and the creation of Skills Development Scotland. Final questions for the Cabinet Secretary returned again to the concordat between COSLA and the government. The committee then agreed to consider draft reports for Stage 2 of the budget in private. They considered a draft report at their meeting on 13th December and a further draft at their meeting on 19th December 2007. At that meeting changes were agreed to (7 by division) and the report finalised.

PETITIONS

At their meeting on the 19th September 2007 the committee returned to two petitions PE853 and PE872 which had been left open by the Education Committee in the second Parliament (Redford, 2007). The Committee agreed to write to the Cabinet Secretary for Education and Lifelong Learning seeking further information on the Scottish Government’s plans in relation to policy on school estate management, particularly in relation to any legislative presumption against school closures, before making further decisions on the petitions. The Convener drew the committee’s attention to the statement of the First Minister to the Parliament on the 5th September 2007, where he said: “On rural schools, it remains our position that there should be a legislative presumption against their closure” (Official Report, 05.09.07, Col 1366). The committee returned to both petitions at their meeting on

the 21st November 2007 when they considered correspondence from the Scottish Government in relation to the petitions. At that meeting they agreed to keep the petitions open to monitor the actions of the Cabinet Secretary in relation to rural schools.

The Committee agreed its approach to a newly referred petition PE1046 (ELLC /S3/07/14/1) at their meeting on the 21st November 2007 and took evidence on the petition at their meeting on the 19th of December.

Date of Committee	Witnesses
19th December 2007	<ul style="list-style-type: none"> • Fiona Hyslop, <i>Cabinet Secretary for Education and Lifelong Learning</i> • Michael Kellet and Donald Henderson, <i>Schools Directorate, Scottish Government</i>

This petition had been submitted by Ronnie Smith (General Secretary), on behalf of the Educational Institute of Scotland (EIS), to the previous parliament. It called on the Scottish Parliament to support significant reductions in class sizes in Scottish publicly funded schools during the lifetime of the next Scottish Parliament. The meeting began with the Cabinet Secretary for Education and Lifelong Learning welcoming the opportunity to discuss the EIS's petition on class sizes, which was signed by almost 80,000 people. She went on to refer to the agreement reached with COSLA, "under which local government will make year-on-year progress towards reducing P1 to P3 class sizes to a maximum of 18" (Hyslop, 19.12.07, Col 484). The committee then spent some time debating what was meant by 'year-on year' progress and how the policy would be evaluated. Members were particularly concerned with the situations in their own constituencies. Ken Macintosh pushed for specific targets or dates to but the Cabinet Secretary was unable to commit herself to those as they would be negotiated with COSLA. Jeremy Purvis then asked about the impact of class reductions in relation to the scheme of salaries and conditions of service for teachers. Donald Henderson replied to that question:

The negotiations that followed the McCrone report did not lead to tripartite agreement on including class size reductions in contracts—the matter was left in legislation. More recently, the reductions to 25 in P1 and 20 in S1 and S2 maths and English were made through departmental circular. Different approaches can be taken to the issue, but on neither of the two most recent occasions when there have been class size reductions has there been a change to contracts (Henderson, 19.12.07, Col)

SUBORDINATE LEGISLATION

The committee addressed and approved a number of negative instruments during this period:

- 5th September 2007: Education (Publication and Consultation Etc.) (Scotland) Amendment Regulations 2007, (SSI 2007/315)
- 19th September 2007: The Provision of School Lunches (Disapplication of the Requirement to Charge) (Scotland) Order 2007 (SSI 2007/draft).

- 26th September 2007: Provision of School Education for Children under School Age (Prescribed Children) (Scotland) Amendment Order 2007 (SSI 2007/396); The Regulation of Care (Social Service Workers) (Scotland) Amendment Order 2007 (SSI 2007/407) and The Disclosure Scotland (Staff Transfer) Order 2007 (SSI 2007/417)
- 24th of October 2007: The University of the West of Scotland Order of Council 2007 (SSI 2007/426)
- 7th November 2007: The draft Protection of Charities Assets (Exemption) (Scotland) Amendment Order 2007
- 14th November 2007: The Education (School and Placing Information) (Scotland) Amendment Regulations 2007 (SSI 2007/487)
- 21st November 2007: The Education (Amendments in respect of Graduate Endowment, Student Fees and Support) (Scotland) Regulations 2007 (SSI 2007/503)
- 23 January 2008: The Individual Learning Account (Scotland) Amendment Regulations 2008 (SSI 2008/1)

EDUCATION AND SKILLS BILL

The committee considered one Sewell motion, a legislative consent memorandum relating to the United Kingdom Government's Education and Skills Bill, at their meeting on 23rd January 2008.

Date of Committee	Witnesses
23 January 2008	<ul style="list-style-type: none"> • Maureen Watt, <i>Minister for Schools and Skills</i> • Rachel Sunderland, <i>Scottish Government schools Directorate</i> • David McPhee, <i>Energy and Lifelong Learning Analytical Services</i> • Neel Mojee, <i>Scottish Government Legal Directorate</i>

The Minister outlined the Bill, which was introduced at Westminster on 28 November 2007, to raise to 18 the minimum age at which young people in England can leave education or training. She pointed out that, although the government was keen to encourage young people to stay in education, they were not considering raising the school leaving age. The reason for introducing the Bill to the committee was to extend to Scotland the it's provisions in data sharing. The Bill, as proposed, would allow data to be shared between the Department for Work and Pensions, Her Majesty's Revenue and Customs and the Department for Children, Schools and Families. The data would be used for research purposes only and individuals would not be identified. Members of the committee were agreed in their support for the motion.

REFERENCE

Redford, M. (2007) Education in the Scottish Parliament, *Scottish Educational Review*, vol.39, 2